

Probate Notes for October 29, 2014

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. Unless an appearance at the hearing is otherwise required by law, if petitioner submits a proposed order prior to the hearing and the recommendation is to grant the petition, no appearance is necessary. If you are scheduled to appear and there is no probate note issued in your case, you should appear as scheduled. If you wish to continue a matter, you must contact the civil division at (530) 406-6704, at least two (2) court days before your hearing.

Please note: The following probate matters will be heard in **Department Two at 9:00 a.m.**

CASE: Conservatorship of Vlack
Case No. CV PC 14-177

It is recommended to **CONTINUE** Betty Vlack's petition to terminate the temporary conservatorship to December 4, 2014, in Department Two at 9:00 a.m., to be heard together with the petition for appointment of conservator filed by Gretchen Morse. (Prob. Code, § 2257, subd. (b).) Ms. Morse is directed to submit an Order Appointing Court Investigator (Judicial Council Form GC-330) to the Court no later than October 29, 2014. Ms. Morse shall also provide notice of the hearing on her petition to be appointed as conservator as required by the Probate Code, including the service of citation and petition on the proposed conservatee. (Prob. Code, § 1800 et seq.)

It is recommended to **DROP FROM CALENDAR** the hearing set by Gretchen Morse. The notice of hearing filed by Ms. Morse on October 8, 2014, fails to specify the purpose of the hearing. Further, the documents identified in "Attachment 1" have not all been filed with the Court as stated.

CASE: Estate of Myers
Case No. CV PB 14-35

The Court notes the following deficiencies:

1. The inventory and appraisal filed on June 19, 2014, does not include all property to be administered in the decedent's estate. (Prob. Code, § 8850, subd. (a).) The inventory and appraisal states the decedent's assets total \$630,450.63, while the accounting states the decedent's assets total \$637,232.02.
2. The inventory and appraisal is incomplete as it does not contain "Attachment 1" detailing the property appraised by petitioner, Amy Myers Jaffe.
3. Petitioner fails to state whether notice was given or was required under Probate Code section 9201.

CASE: Estate of Snyder
Case No. CV PB 14-165

It is recommended to grant the petition for letters of administration, and for full authority under the Independent Administration of Estates Act. (Prob. Code, § 8000 et seq.)

CASE: In the Matter of the Elizabeth Polivka Special Needs Trust
Case No. CV P2 11-134

The Court notes the following deficiency: Proof that the notice of hearing has been served on the required parties has not been filed with the Court. (Prob. Code, § 17203.)

If petitioner Patricia Larson files with the Court proof that notice of the hearing was mailed as required, it is recommended to approve the second account and report. It is further recommended to approve attorney's fees in the amount of \$1,942.50 for services rendered and costs of \$20.00. The Court declines to award attorney's fees in the amount of \$875.00 for time not yet incurred.